

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JIMMIE McCALL)
)
PLAINTIFF)
)
VS.) **CASE NO. 2:06-CV-1104**
)
CITY OF MONTGOMERY)
)
DEFENDANT)

MOTION TO WAIVE INJUNCTION BOND

COMES NOW the defendant, City of Montgomery, by and through undersigned counsel, and respectfully requests this Honorable Court to waive the security bond required of the applicant under Federal Rule of Civil Procedure 65(c), and as grounds therefore, states as follows:

Defendant City of Montgomery has incurred no out-of-pocket expenses as originally thought in regard to the demolition ordered on the property located at 3118 Woodley Road, Montgomery, Alabama.

Wherefore the above premises considered, Defendant City of Montgomery would pray that this Honorable Court waive the security bond normally required under Federal Rule of Civil Procedure 65(c).

Respectfully submitted,

/s/Michael D. Boyle
Michael D. Boyle (BOY 032)
Staff City Attorney

OF COUNSEL:

City of Montgomery Attorney's Office
103 North Perry Street
Montgomery, AL 36104
(334) 241-2050

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document by causing it to be placed in the U.S. Mail, postage prepaid and properly addressed on this 12th day of January, 2007 to the following:

Norman Hurst, Jr.
462 Sayre Street
Montgomery, Alabama 36104

/s/Michael D. Boyle

Michael D. Boyle